


CERTIFICATE OF MAILING BY FIRST CLASS MAIL (37 CFR 1.8)			Docket No.	
Applicant(s): Loevli et al			ALH-0154	
Application No.	Filing Date	Examiner	Customer No.	Group Art Unit
10/552,118	October 4, 2005	Bryan Tung (PCT)	23413	
Invention: PROCESS FOR THE PREPARATION OF STEROIDAL CARBOTHIOIC ACID DERIVATIVES AND INTERMEDIATES				
<p>I hereby certify that this <u>PETITION UNDER 37 CFR 1.137(b) AND 37 CFR 1.182</u> (Identify type of correspondence)</p> <p>is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" [37 CFR 1.8(a)] on <u>February 5, 2007</u> (Date)</p> <p><u>Jackie Boya</u> (Typed or Printed Name of Person Mailing Correspondence)</p> <p><u></u> (Signature of Person Mailing Correspondence)</p> <p>Note: Each paper must have its own certificate of mailing.</p> <div><p>Petition Under 37 CFR 1.137(b) and 37 CFR 1.182</p><p>Fee Transmittal</p><p>Certificate of Mailing via 1st Class Mail</p><p>Acknowledgement Postcard</p></div>				

RECEIVED

16 FEB 2007

Legal Staff
International Division

RECEIVED

16 FEB 2007

Legal Staff
International Division

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	Loevli et al.)
) Group Art Unit:
Serial No.:	10/552,118)
)
Filed:	October 4, 2005) Examiner: Bryan Tung (PCT)
)
For:	PROCESS FOR THE PREPARATION OF)
	STEROIDAL CARBOTHIOIC ACID)
	DERIVATIVES AND INTERMEDIATES)

Office of PCT Legal Administration

PETITION UNDER 37 CFR 1.137(b) AND 37 CFR 1.182

Sir:

This is a combined petition under 37 C.F.R. 1.137(b) to revive an unintentionally abandoned application and under 37 C.F.R. 1.182 for situations not specifically provided for, along with the appropriate petition fees. Applicant petitions to revive unintentionally abandoned application number 10/552,118.

On April 22, 2004, Applicant filed international application PCT/DK04/00242, claiming priority to a European Patent Office Application filed April 4, 2003.

On September 30, 2005, Cantor Colburn LLP was asked by Applicant's attorney, Malcolm Lawrence of HLBBSHaw, to file a US National Stage Application of PCT/DK04/00242 by October 4, 2005. Cantor Colburn filed a US National Stage Application, application number 10/552,118, on October 4, 2005.

Mr. Patrick Halloran filed a US National Stage Application of PCT/DK04/00242 on October 3, 2005, application number 10/552,906.

In the November 23, 2005 communication from the PCT Office of Legal Administration, Cantor Colburn LLP was informed of the two US National Stage Applications of PCT/DK04/00242.

From October 3, 2005 until January 2007, all parties involved believed that application number 10/552,906 was pending.

In order to determine the status of application number 10/552,906, Cantor Colburn LLP attempted from 9/06 through 1/07 to obtain a copy of the file wrapper for application number 10/552,906. A Power to Inspect/Copy application number 10/552,906 signed by Mr. Patrick Halloran was sent to Micropatent, a division of Thompson Scientific, with a request to obtain a certified copy of application number 10/552,906, on September 21, 2007. Micropatent was unable to locate the file. In a telephone conversation with Mr. Bryan Tung at the Office of PCT legal administration on January 11, 2007, Karen LeCuyer of Cantor Colburn LLP was informed that application number 10/552,906 had gone abandoned.

In the same telephone conversation with Mr. Bryan Tung at the Office of PCT legal administration on January 11, 2007, Karen LeCuyer of Cantor Colburn LLP was also informed that application number 10/552,118 went abandoned for failure to respond to the November 23, 2005 communication from the PCT Office of Legal Administration. Applicant petitions to revive application number 10/552,118, filed on October 4, 2005 by Cantor Colburn LLP. The entire delay was unintentional.

If there are any additional charges with respect to this Petition or otherwise, please charge them to Deposit Account No. 06-1130.

02/15/2007 MKAYPAGH 00000080 061130 10552118
02 FC:1453 1500.00 DA

02/15/2007 MKAYPAGH 00000080 061130 10552118
01 FC:1462 400.00 DA

Respectfully submitted,

CANTOR COLBURN LLP

By Karen A. LeCuyer
Karen A. LeCuyer
Registration No. 51,928

Date: February 5, 2007
CANTOR COLBURN LLP
55 Griffin Road South
Bloomfield, CT 06002
Telephone (860) 286-2929
Facsimile (860) 286-0115
Customer No.: 23413

Doc Code:

PTO/SB/17 (07-06)

Approved for use through 01/31/2007. OMB 0651-0032
Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).

**FEE TRANSMITTAL
for FY 2006**☐ Applicant claims small entity status. See 37 CFR 1.27**TOTAL AMOUNT OF PAYMENT (\$)** **\$1,900.00****Complete if Known**

Application Number	10/552,118
Filing Date	October 4, 2005
First Named Inventor	Loevli et al
Examiner Name	Bryan Tung (PCT)
Art Unit	
Attorney Docket No.	ALH-0154

METHOD OF PAYMENT (check all that apply)
☐ Check ☐ Credit Card ☐ Money Order ☐ None ☐ Other (please identify): _____

☒ Deposit Deposit Account Number: 06-1130 Deposit Account Name: Cantor Colburn, LLP

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☐ Charge fee(s) indicated below, except for the filing fee

☐ Charge any additional fee(s) or any underpayments of fee(s) under 37 CFR 1.16 and 1.17 ☐ Credit any overpayments
WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.**FEE CALCULATION** (All the fees below are due upon filing or may be subject to a surcharge.)**1. BASIC FILING, SEARCH, AND EXAMINATION FEES**

Application Type	FILING FEES		SEARCH FEES		EXAMINATION FEES		Fees Paid(\$)
	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	
Utility	300	150	500	250	200	100	
Design	200	100	100	50	130	65	
Plant	200	100	300	150	160	80	
Reissue	300	150	500	250	600	300	
Provisional	200	100	0	0	0	0	

2. EXCESS CLAIM FEES

Fee Description	Fee (\$)	Small Entity Fee (\$)
Each claim over 20 (including Reissues)	50	25
Each independent claim over 3 (including Reissues)	200	100
Multiple dependent claims	360	180

Total Claims	Extra Claims	Fee (\$)	Fee Paid (\$)
_____ - 20 or HP = _____	x _____	\$50.00	= \$0.00

HP = highest number of total claims paid for, if greater than 20.

Indep. Claims	Extra Claims	Fee (\$)	Fee Paid (\$)
_____ - 3 or HP = _____	x _____	\$200.00	= \$0.00

HP = highest number of independent claims paid for, if greater than 3.

3. APPLICATION SIZE FEE

If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listing under 37 CFR 1.52(e)), the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof	Fee (\$)	Fee Paid (\$)
_____ - 100 = _____	/ 50	_____ (round up to a whole)	x \$250.00	= \$0.00

4. OTHER FEE(S)

Non-English specification, \$130 fee (no small entity discount)

Other (e.g., late filing surcharge): CFR 1.137(b) \$1500.00 and CFR 1.182 \$400.00

\$1,900.00**SUBMITTED BY**

Signature	<i>Karen A. LeCuyer</i>	Registration No. (Attorney/Agent)	51,928	Telephone	860 286-2929
Name (Print/Type)	Karen A. LeCuyer			Date	February 5, 2007

This collection of information is required by 37 CFR 1.136. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 30 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.



UNITED STATES PATENT AND TRADEMARK OFFICE

RECEIVED

23 NOV 2005

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
P.O. Box 1450
ALEXANDRIA, VA 22313-1450
www.uspto.gov

CANTOR COLBURN LLP

CANTOR COLBURN, LLP
55 GRIFFIN ROAD SOUTH
BLOOMFIELD, CT 06002

*January 23
2 month response
ul 11/29/05*

In re Application of LOEVLI et al
U.S. Application No.: 10/552,118
PCT Application No.: PCT/DK04/00242
Int. Filing Date: 02 April 2004
Priority Date Claimed: 04 April 2003
Attorney Docket No.: APH-0154
For: PROCESS FOR THE PREPARATION OF
STEROIDAL CARBOTHIOIC ACID
DERIVATIVES AND INTERMEDIATES

DECISION

This application is before the Office of PCT Legal Administration for consideration of issues arising under 35 U.S.C. 371.

BACKGROUND

On 02 April 2004, applicant filed international application PCT/DK04/00242, which claimed priority of an earlier European Patent Office application filed 04 April 2003. A copy of the international application was communicated to the USPTO from the International Bureau on 14 October 2004. The thirty-month period for paying the basic national fee in the United States expired on 04 October 2005.

On 03 October 2005, applicant filed purported national stage papers in the United States Designated/Elected Office (DO/EO/US). The submission, which was signed by agent Patrick Halloran, listed "AL-05-006-US" as the attorney docket number and was assigned U.S. Application Number 10/551,906.

On 04 October 2005, applicant filed purported national stage papers in the DO/EO/US. The submission, which was filed by Cantor Colburn LLP, listed "APH-0154" as the attorney docket number and was assigned U.S. Application Number 10/552,118.

*2-month
action*

DISCUSSION

The submission of two sets of national stage papers for a single international application was improper. A petition under 37 CFR 1.182 along with the requisite \$400.00 petition fee is required to resolve the matter.

CONCLUSION

A proper response must be filed within TWO (2) MONTHS from the mail date of this communication. Failure to timely file a proper response will result in ABANDONMENT of the application. Extensions of time are available under 37 CFR 1.136(a). A proper response would include an appropriate petition under 37 CFR 1.182 along with the required petition fee.

Please direct further correspondence with respect to this matter to Mail Stop PCT, Commissioner for Patents, Office of PCT Legal Administration, P.O. Box 1450, Alexandria, Virginia 22313-1450, with the contents of the letter marked to the attention of the Office of PCT Legal Administration.



Bryan Tung
PCT Legal Examiner
Office of PCT Legal Administration

Telephone: 571-272-3303
Facsimile: 571-273-0459